United Nations A/61/PV.54

General Assembly
Sixty-first session

Official Records

54th plenary meeting
Thursday, 16 November 2006, 10 a.m.
New York

President: Ms. Al-Khalifa ..... (Bahrain)

The meeting was called to order at 10.20 a.m.

Agenda item 109

Implementation of the resolutions of the United Nations

The President: It is my understanding that there is no request to consider this item at the current session. May I take it that it is the wish of the General Assembly to defer the consideration of this item to the sixty-second session and to include it in the provisional agenda of the sixty-second session?

It was so decided.

The President: That concludes our consideration of agenda item 109.

Agenda item 106

Appointments to fill vacancies in subsidiary organs and other appointments

(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions

Report of the Fifth Committee (A/61/561)

The President: The Fifth Committee recommends in paragraph 4 of its report that the General Assembly appoint the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 2007: Mr. Andrzej T. Abraszewski of Poland, Mr. Collen V. Kelapile of Botswana, Mr. Stafford Neil of Jamaica, Mr. Mohammad Mustafa Tal of Jordan and Ms. Nonye Udo of Nigeria.

May I take it that it is the wish of the Assembly to appoint those persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning 1 January 2007?

It was so decided.

(b) Appointment of members of the Committee on Contributions

Report of the Fifth Committee (A/61/562)

The President: In paragraph 4 of its report, the Fifth Committee recommends that the General Assembly appoint the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 2007: Mr. Kenshiro Akimoto of Japan, Mr. Petru Dumitriu of Romania, Mr. Ihor V. Humenny of Ukraine, Mr. Meshal Al-Mansour of Kuwait, Ms. Gobona Susan Mapitse of Botswana and Ms. Lisa P. Spratt of the United States of America.

May I take it that it is the wish of the Assembly to appoint those persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 2007?

It was so decided.

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(c) Confirmation of the appointment of members of the Investments Committee

Report of the Fifth Committee (A/61/563)

The President: The Fifth Committee recommends in paragraph 5 of its report that the General Assembly confirm the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 2007: Mr. Emilio J. Cárdenas of Argentina, Mr. Fernando Chico Pardo of Mexico and Mr. Khaya Ngqula of South Africa.

May I take it that it is the wish of the Assembly to confirm the appointment of those persons I just mentioned as members of the Investments Committee for a three-year term of office beginning on 1 January 2007?

It was so decided.

The President: In paragraph 6 of the same report, the Fifth Committee also recommends that the General Assembly reappoint the following persons as ad hoc members for a one-year term beginning on 1 January 2007: Ms. Afsaneh Beschloss of the Islamic Republic of Iran and Mr. Ivan Pictet of Switzerland.

May I take it that it is the wish of the Assembly to confirm the reappointment of those persons as ad hoc members of the Investments Committee for a one-year term beginning on 1 January 2007?

It was so decided.

(d) Appointment of members of the United Nations Administrative Tribunal

Report of the Fifth Committee (A/61/564)

The President: In paragraph 4 of its report, the Fifth Committee recommends that the General Assembly appoint the following persons as members of the United Nations Administrative Tribunal for a four-year term of office beginning on 1 January 2007: Mr. Bob Hepple of the United Kingdom of Great Britain and Northern Ireland and Ms. Jacqueline R. Scott of the United States of America.

May I take it that it is the wish of the Assembly to appoint those persons I just mentioned as members of the United Nations Administrative Tribunal for a four-year term of office beginning on 1 January 2007?

It was so decided.

(e) Appointment of members of the International Civil Service Commission

Report of the Fifth Committee (A/61/565)

The President: In paragraph 11 (a) of its report, the Fifth Committee recommends that the General Assembly appoint the following persons as members of the International Civil Service Commission for a four-year term of office beginning on 1 January 2007: Mr. Daasebre Oti Boateng of Ghana, Mr. Guillermo Enrique Gonzalez of Argentina, Mr. Kingston Papie Rhodes of Sierra Leone, Ms. Anita Szlazak of Canada and Mr. Eugeniusz Wyzner of Poland.

May I take it that it is the wish of the Assembly to appoint those persons I just mentioned as members of the International Civil Service Commission for a four-year term of office beginning on 1 January 2007?

It was so decided.

The President: In paragraph 11 (b) of the same report, the Fifth Committee also recommends that the General Assembly appoint Mr. Vladimir Morozov of the Russian Federation as a member of the International Civil Service Commission for a term of office beginning on 16 November 2006 and ending on 31 December 2008.

May I take it that it is the wish of the Assembly to appoint the person I just mentioned as a member of the Commission for a term of office beginning on 16 November 2006 and ending on 31 December 2008?

It was so decided.

The President: The Fifth Committee further recommends in paragraph 11 (c) that the General Assembly designate Mr. Kingston Papie Rhodes of Sierra Leone as Chairman of the International Civil Service Commission for a four-year term of office beginning on 1 January 2007.

May I take it that it is the wish of the Assembly to designate the person I just mentioned as Chairman of the Commission for a four-year term of office beginning on 1 January 2007?

It was so decided.

The President: In paragraph 11 (d), the Fifth Committee recommends that the General Assembly designate Mr. Wolfgang Stöckl of Germany as Vice-

Chairman of the International Civil Service Commission for a term of office beginning on 1 January 2007 and ending on 31 December 2009.

May I take it that it is the wish of the Assembly to designate the person I just mentioned as Vice-Chairman of the Commission for a term of office beginning on 1 January 2007 and ending on 31 December 2009?

It was so decided.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (a) to (e) of agenda item 106?

It was so decided.

Agenda item 105

Elections to fill vacancies in subsidiary organs and other elections

(a) Election of seven members of the Committee for Programme and Coordination

The President: Pursuant to General Assembly decision 42/450 of 17 December 1987 and upon nomination by the Economic and Social Council, the Assembly elects the members of the Committee for Programme and Coordination.

The Assembly has before it document A/61/227, which contains the nominations by the Economic and Social Council to fill the vacancies in the Committee that will occur as a result of the expiration, on 31 December 2006, of the terms of office of the Bahamas, the Comoros, France, Mexico, the Russian Federation, the United States of America and Zimbabwe. Those States are eligible for immediate re-election.

I should like to remind members that, after 1 January 2007, the following States will still be members of the Committee: Algeria, Argentina, Armenia, Belarus, Benin, Brazil, Bulgaria, the Central African Republic, China, Cuba, Ghana, India, Indonesia, the Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Kenya, Pakistan, Portugal, the Republic of Korea, Senegal, South Africa, Switzerland and Uruguay. Therefore, those 26 States are not eligible in this election.

I should now like to inform Members that the following States have been nominated by the Economic and Social Council: the two African States for two vacancies are the Comoros and Zimbabwe; the one Eastern European State for one vacancy is the Russian Federation; and the two Latin American and Caribbean States for two vacancies are Haiti and the Bolivarian Republic of Venezuela. For the two vacancies to be filled from Western European and other States, the Council has not yet decided on the nominations.

In accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot and there shall be no nominations. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on the basis of dispensing with the secret ballot?

It was so decided.

The President: The number of States nominated from among the African States, the Eastern European States and the Latin American and Caribbean States is equal to the number of seats to be filled in each of those groups.

May I therefore take it that the Assembly wishes to declare those States nominated by the Economic and Social Council from among the African States, the Eastern European States and the Latin American and Caribbean States — the Comoros, Haiti, the Russian Federation, the Bolivarian Republic of Venezuela and Zimbabwe — elected members of the Committee for Programme and Coordination for a three-year term of office beginning on 1 January 2007?

It was so decided.

The President: I congratulate the five States that have been elected members of the Committee for Programme and Coordination. Regarding the two remaining vacancies from among the Western European and other States, the General Assembly will be in a position to act on it upon the nomination by the Economic and Social Council of two Member States from that region.

We have thus concluded this stage of our consideration of sub-item (a) of agenda item 105.

(c) Election of the members of the International Law Commission

Notes by the Secretary-General concerning the candidates (A/61/92, A/61/92/Corr.1, A/61/92/Add.1, A/61/92/Add.2 and A/61/92/Add.3)

Note by the Secretary-General concerning the consolidated list of candidates (A/61/539)

Curriculum vitae (A/61/111, A/61/111/Corr.1, A/61/111/Corr.2 and A/61/111/Add.1)

The President: In accordance with the provisions of Chapter I of the statute of the Commission, the 34 members of the Commission are to be elected by the General Assembly for a five-year term of office beginning on 1 January 2007 from a list of candidates nominated by the Governments of States Members of the United Nations.

The members of the Commission are eligible for re-election. The present membership of the Commission is set out in the annex to document A/61/92.

The notes by the Secretary-General concerning the candidates are contained in documents A/61/92 and Corrigendum 1 and Addenda 1 to 3.

Members will recall that the Assembly, at its 41st plenary meeting on 26 October 2006, decided to request the Secretary-General to issue a consolidated list, incorporating new candidates and additional information on candidates received subsequent to the deadline for the submission of nominations.

In that connection, the Assembly now has before it the note by the Secretary-General circulated as document A/61/539, which consolidates in alphabetical order the candidates nominated by Governments of States Members of the United Nations for election to the International Law Commission.

There is a total of 44 candidates eligible in this election.

The notes by the Secretary-General concerning the statements of qualifications of candidates are contained in documents A/61/111 and Corrigenda 1 and 2 and Addendum 1.

I should like to recall for members that, in accordance with the statute of the International Law Commission, the Commission should consist of persons of recognized competence in international law; the persons to be elected to the Commission should individually possess the qualifications required; and in the Commission as a whole, representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Pursuant to paragraph 3 of General Assembly resolution 36/39 of 18 November 1981, the 34 members should be elected as follows: eight nationals from African States; seven nationals from Asian States; four nationals from Eastern European States; seven nationals from Latin American and Caribbean States; and eight nationals from Western European and other States. The ballot papers reflect that pattern.

As provided for in the statute of the International Law Commission, those candidates, up to the maximum number prescribed for each regional group, receiving the greatest number of votes and not less than a majority of the votes of the Member States present and voting shall be declared elected. Should there be a case of a tie vote for a remaining seat, the General Assembly will proceed to a special restricted ballot limited to those candidates who have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The President: In accordance with rule 92 of the rules of procedure of the General Assembly, the election shall be held by secret ballot.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

I should like to seek the usual cooperation of representatives during the time of the conduct of the election. Please be reminded that, during the voting process, all campaigning should cease in the General Assembly Hall. That means in particular that, once the meeting has begun, no more campaign material can be distributed inside the Hall.

All representatives are also requested to remain at their seats so that the voting process can proceed in an orderly manner. I thank them for their cooperation.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected.

Ballot papers marked "A", "B", "C", "D" and "E" will now be distributed.

I request representatives to use only those ballot papers that have been distributed. Each ballot paper contains the names of the candidates eligible in this round of balloting. Representatives are requested to place a cross to the left of the names of the candidates for whom they wish to vote.

Representatives may vote only for those candidates whose names appear on the ballot papers, but for no more than the number of seats allocated to each region. A ballot paper containing more votes than the number of seats allocated to the relevant region will be declared invalid.

Accordingly, please ensure that the ballot papers marked "A" for African States do not contain votes for more than eight candidates; the ballot papers marked "B" for Asian States do not contain votes for more than seven candidates; the ballot papers marked "C" for Eastern European States do not contain votes for more than four candidates; the ballot papers marked "D" for Latin American and Caribbean States do not contain votes for more than seven candidates; and the ballot papers marked "E" for Western European and other States do not contain votes for more than eight candidates.

Mrs. Mladineo (Croatia), Vice-President, took the Chair.

At the invitation of the Acting President, Ms Wiesinger (Austria), Ms. Salayeva (Azerbaijan), Ms. Borjas Chávez (El Salvador), Mr. M. Camara (Guinea), Mrs. Romulus (Haiti), Mr. Adiya (Mongolia) and Mrs. Sulimani (Sierra Leone) acted as tellers.

The meeting was suspended at 10.55 a.m. and resumed at 12.55 p.m.

The Acting President: The result of the voting is as follows:

Group A – African States

Number of ballot papers:	190
Number of invalid ballots:	3
Number of valid ballots:	187
Abstentions:	1
Number of members present and voting:	186
Required simple majority of members present and voting:	94
Number of votes obtained:	
Mr. Hussein A. Hassouna (Egypt)	153
Mr. Amos S. Wako (Kenya)	153
Mr. Fathi Kemicha (Tunisia)	152
Mr. Pedro Comissário Afonso (Mozambique)	148
Mr. Christopher John Robert Dugard (South Africa)	148
Mr. Bayo Ojo (Nigeria)	137
Mr. Salifou Fomba (Mali)	134
Mr. Maurice Kamto (Cameroon)	133
Mr. Guillaume Pambou Tchivounda (Gabon)	131
Mr. Abdelrazeg El-Murtadi Suleiman (Libyan Arab Jamahiriya)	129

Group B– Asian States

Number of ballot papers:	190
Number of invalid ballots:	3
Number of valid ballots:	187
Abstentions:	0
Number of members present and voting:	187
Required simple majority of members present and voting:	94
Number of votes obtained:	
Mr. Chusei Yamada (Japan)	144
Mr. Narinder Singh (India)	141
Mr. Xue Hanqin (China)	140
Mr. Ali Mohsen Fetais Al-Marri (Qatar)	138
Mr. Amrith Rohan Perera (Sri Lanka)	138
Mr. Nugroho Wisnumurti (Indonesia)	135
Mr. Mahmoud Daifallah Hmoud (Jordan)	122
Mr. Djamchid Momtaz (Islamic Republic of Iran)	92
Mr. Riad Daoudi (Syrian Arab Republic)	90
Mr. Nassib G. Ziadé (Lebanon)	66
Mr. Arturo B. Buena (Philippines)	60

Group C – Eastern European States

Number of ballot papers:	190
Number of invalid ballots:	0
Number of valid ballots:	190
Abstentions:	3
Number of members present and voting:	187
Required simple majority of members present and voting:	94
Number of votes obtained:	
Mr. Roman Anatolyevitch Kolodkin (Russian Federation)	185
Mr. Zdzislaw Galicki (Poland)	182
Mr. Teodor Viorel Melescanu (Romania)	177
Mr. Ernest Petrič (Slovenia)	177

Group D – Latin American and Caribbean States

Number of ballot papers:	190
Number of invalid ballots:	1
Number of valid ballots:	189
Abstentions:	0
Number of members present and voting:	189
Required simple majority of members present and voting:	95
Number of votes obtained:	
Mr. Stephen Vasciannie (Jamaica)	173
Mr. Gilberto Vergne Saboia (Brazil)	170
Mr. Enrique Candioti (Argentina)	164
Mr. Bernd Niehaus (Costa Rica)	163
Mr. Marcelo Vázquez-Bermúdez (Ecuador)	155
Mr. Eduardo Valencia-Ospina (Colombia)	150
Mr. Edmundo Vargas Carreño (Chile)	144
Mr. Carlos López Contreras (Honduras)	141

Group E – Western European and other States

Number of ballot papers:	190
Number of invalid ballots:	0
Number of valid ballots:	190
Abstentions:	1
Number of members present and voting:	189
Required simple majority of members present and voting:	95
Number of votes obtained:	
Mr. Ian Brownlie (United Kingdom of Great Britain and Northern Ireland)	156
Mr. Georg Nolte (Germany)	154
Mr. Donald McRae (Canada)	149
Ms. Marie Jacobsson (Sweden)	146
Mr. Giorgio Gaja (Italy)	144
Ms. Paula Ventura de Carvalho Escarameia (Portugal)	133
Mr. Alain Pellet (France)	127
Mr. Lucius Caflish (Switzerland)	121
Mr. Michael Matheson (United States of America)	114
Mr. Constantine Economides (Greece)	107
Mr. Rauf Versan (Turkey)	96

Having obtained the required majority and the greatest number of votes, Mr. Ali Mohsen Fetais Al-Marri (Qatar), Mr. Ian Brownlie (United Kingdom of Great Britain and Northern Ireland), Mr. Lucius Caflish (Switzerland), Mr. Enrique Candioti (Argentina), Mr. Pedro Comissario Afonso (Mozambique), Mr. Christopher John Rober Dugard (South Africa), Ms. Paula Ventura de Carvalho Escarameia (Portugal), Mr. Salifou Fomba (Mali), Mr. Giorgio Gaja (Italy), Mr. Zdzislaw Galicki (Poland), Mr. Hussein A. Hassouna (Egypt), Mr. Mahmoud D. Hmoud (Jordan), Ms. Marie Jacobsson (Sweden), Mr. Maurice Kamto (Cameroon), Mr. Fathi Kemicha (Tunisia), Mr. Roman Anatolyevitch Kolodkin (Russian Federation), Mr. Donald McRae (Canada), Mr. Teodor Viorel Melescanu (Romania), Mr. Bernd Niehaus (Costa Rica), Mr. Georg Nolte (Germany), Mr. Bayo Ojo (Nigeria), Mr. Alain Pellet (France), Mr. Amrith Rohan Perera (Sri Lanka), Mr. Ernest Petrič (Slovenia), Mr. Gilberto Vergne Saboia (Brazil), Mr. Narinder Singh (India), Mr. Eduardo Valencia-Ospina (Colombia), Mr. Edmundo Vargas Carreño (Chile), Mr. Stephen Vasciannie (Jamaica), Mr. Marcelo Vázquez-Bermúdez (Ecuador), Mr. Amos S. Wako (Kenya), Mr. Nugroho Wisnumurti (Indonesia), Ms. Xue Hanqin (China) and Mr. Chusei Yamada (Japan) were elected members of the International Law Commission for a five-year term of office beginning on 1 January 2007.

The Acting President: I congratulate the persons who have just been elected to the International Law Commission, and I thank the tellers for their assistance in this election.

We have thus concluded our consideration of sub-item (c) of agenda item 105.

Agenda item 106 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(f) Appointment of members of the Committee on Conferences

Note by the Secretary-General (A/61/107)

The Acting President: As indicated in document A/61/107, since the terms of office of Argentina, Germany, Mexico, Nigeria, Romania, Senegal and the Syrian Arab Republic will expire on 31 December 2006, it will be necessary for the President of the General Assembly to appoint, during the current session, seven members to fill the resulting vacancies. The members so appointed will serve for a period of three years, beginning on 1 January 2007.

Following consultations with the Chairpersons of the Groups of African States, Asian States, Latin American and Caribbean States and Western European and other States, I have appointed Germany, Grenada, Honduras, Nigeria, Senegal and the Syrian Arab Republic as members of the Committee on Conferences for a period of three years, beginning on 1 January 2007. May I take it that the Assembly takes note of those appointments?

It was so decided.

The Acting President: Regarding the remaining vacancy from among the Group of Eastern European States, I will continue to hold consultation with the regional group concerned and will keep the Assembly informed.

We have thus concluded this stage of our consideration of sub-item (f) of agenda item 106.

Programme of work

The Acting President: I should like to inform members that, given the lateness of the hour, sub-item (h) of agenda item 106, on the appointment of members of the Joint Inspection Unit, will be taken up at 3 p.m. today.

The meeting rose at 1.10 p.m.